

COUNTY of  
CUMBERLAND  
VIRGINIA

FOUNDED • 1749

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**Planning Commission**

District 1  
Patrick Smook

District 2  
Keith Oulie

District 3  
William C. Burger

District 4  
David Brown

District 5  
Rolland Gilliam

At Large  
Parker Wheeler

**CUMBERLAND COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**

MINUTES OF THE  
CUMBERLAND COUNTY PLANNING COMMISSION  
Workshop Meeting  
Old Clerk's Office  
July 7, 2005, 7:00 P.M.

**Present:**

Bill Burger, Chairman, District 3  
Parker Wheeler, Vice-Chairman, At-Large  
Patrick Smook, District 1  
Zeke Sanderson, District 2  
Roland Gilliam, District 5  
Keith Oulie, At-Large

**Absent:**

David Brown, District 4  
Bill Osl, Board Liaison

**Also Present:**

Catherine Kahl, Planner/Zoning Administrator  
Jason Norton, Farmville Herald

Chairman Burger called the meeting to order and a quorum was established. He stated that the purpose of the meeting was to continue discussion on R2-5 zoning and address the three questions brought up at the public hearing meeting by Mr. Pfeiffer on June 27, 2005, and the question of the boundaries of R2-5.

Discussion then began regarding the R2-5 and the following:

1. Courthouse area – what is it?
2. 500' of road frontage – is it necessary?
3. Minimum of two acres – average of 5 acres in order to build – is this viable?
4. Where does the R2-5 area begin and end?

Question 1 discussion included providing a working definition of the Village area. Discussion centered around establishing zoning for the Village, and in order to do this boundaries have to be established. Definition discussion centered around Highway 13 on the east border to Tarwallet Road on the west border. The north border would be the end of Foster Lane behind the courthouse. South would be Route 600 where it intersects with County Line and the area known as the Saw Mill Tract (east). This was accepted as a working definition of the Village area.

Catherine Kahl, the new Planner/Zoning Administrator, advised that it would be best to NOT too closely define the Village area, but to start with an area, and expand this as needed to include expanded boundaries. This way the high density aspect could be fully utilized, whereas if the boundaries were too spread out the purpose of high density building would be compromised.

It was stated that the question of where water and sewer would be directed should also drive the Village area definition. It was determined that total water capacity was not yet known, and the various phases not yet set into a timeline. There was also a question of where the water would be going in the long term (what boundary line to what boundary line), and no one had a definitive answer regarding this. Jerry Giles, Director of Public Works was to be contacted to answer questions in regard to water and sewer. The PC requested more information on sewer, water, electric capacity and parameters. Discussion once again focused on zoning for the courthouse area. It was stated that zoning for this area needs to be established to prohibit having to rezone whenever a new dimension was added (multiple family housing, historic, business, light industrial, PUDS, etc.).

Currently the area is zoned R-2 for 1000' on either side of Highway 60. Catherine Kahl then introduced a concept used in other areas called form-based zoning, and referred to the packets of information that had been distributed to all prior to the meeting. She explained that the zoning itself allowed for all of these uses, and that it included specifics that all buildings meet the same standards in terms of aesthetics. This maintains a cohesive village look, whatever that is established to be. In this model, a site plan is always submitted first to the Planner and the Planning Commission, who can then maintain control over what is being built. Questions and discussion continued around this type of zoning, and it was determined that Ms. Kahl would provide more information on the concept of form-based zoning for the Village area, for future discussion and consideration.

R2-5 zoning was then discussed and a working definition of the Village area was accepted, and it was determined that all R2-5 would be located on Highway 60 from Route 13 to the Powhatan County border, and on Highway 60 from Tarwallet Road to the Buckingham County line. Discussion also addressed the issue of those with 9 acre parcels and their ability to divide their land under the 2 acre minimum-5 acre average of the R2-5.

Question 2 discussion began with commission members readdressing the reason for 500' of road frontage. This is to lessen the impact of traffic turning off the highway every few feet, especially on the primary roadways, as well as other discussed considerations. The question of having the ability to get a 500' road frontage with a 2 acre parcel was discussed. It was agreed upon to leave the 500' road frontage requirement in the R2-5 but to incorporate language that will state that this requirement is only for new cuts from the date of the new code. Previous cuts are grandfathered under the old code. Setbacks are determined by the existing code at the time a building permit is issued.

In a discussion of setbacks, Patrick Smook brought to light the fact that any frontage setback on a corner lot, where the shortest side determines the road frontage, and if on a secondary road, the distance from a primary road would only be 25' (which is the SIDE setback of 25'). If all houses on the primary road are 75' - 100' (preexisting) to 130' for new homes, many of those houses newly built on corner lots will only be 25' from the primary road (distance of the side yard setback).

Question 3 discussion centered on the fairness of the requirement of a 2 acre minimum-average of 5 acres to the owner with an 8 or 9 acre parent tract, in order to divide property. Different scenarios of offering ways to deal with this were discussed and it was decided to add language to the ordinance that each parcel submitted for division which is less than 10 acres will be considered on a case-by-case basis. Language also has to be added that any parcel which has been divided prior to the R2-5 being enacted is grandfathered under R2-5.

There was also a short discussion about cash proffers and whether or not it needed to be tied to rezoning. Catherine Kahl was asked to verify the procedure and report to the PC.

Question 4 was answered earlier, in regard to where the R2-5 area would run: 1000' on either side of the road on Highway 60 going west of Route 13 to the Powhatan County line and east of Highway 45 to the Buckingham County line.

A motion was made by Parker Wheeler to define the area to be zoned as R2-5 as the following: going east on Highway 60, 1000' on either side of the road, from Highway 13 to the Powhatan County line and going west from the courthouse on Highway 60 from the west side of Tarwallet Road to the Buckingham County line. The motion was seconded by Zeke Sanderson, and carried as follows.

Vote:	Mr. Burger – aye	Mr. Wheeler – aye
	Mr. Sanderson – aye	Mr. Gilliam – aye
	Dr. Oulie – aye	Mr. Smook - aye

On a motion by Mr. Sanderson, seconded by Dr. Oulie and carried, the meeting was adjourned until a joint Public Hearing meeting with the Board of Supervisors on July 12, 2005 regarding the Comprehensive Plan.

Attested:

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Chairman

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Clerk of the Commission